

# **EXHIBIT A**

**THIS NOTICE MAY AFFECT YOUR RIGHTS  
A COURT AUTHORIZED THIS NOTICE  
THIS IS NOT A SOLICITATION FROM A LAWYER**

**UPDATE REGARDING NOTICE OF PENDENCY OF CLASS ACTION LAWSUIT**

Earlier this year, you may have received a “Notice of Pendency of Class Action Lawsuit” in the matter of *Red Barn Motors, Inc., et al. vs. NextGear Capital, Inc. f/k/a Dealer Services Corporation, et al.*, Case No. 1:14-cv-01589-TWP-DLP (S.D. Ind.), which is a lawsuit against NextGear Capital, Inc. (“NextGear”), formerly known as Dealer Services Corporation (“DSC”), pending in the United States District Court for the Southern District of Indiana.

The notice stated that the Court had certified a class that includes all used car dealers in the United States of America that were parties to a Floorplan Agreement with DSC, n/k/a NextGear, effective during the time period of January 2005 through July 2013, and that floor planned one or more vehicles with DSC/NextGear under such agreement, excluding any dealer that signed an agreement containing an arbitration or class action waiver provision.

**This update is to notify you that you received the “Notice of Pendency of Class Action Lawsuit” in error and should disregard it.** You signed a floor plan agreement with NextGear containing an arbitration or class action waiver provision. Therefore, you are not a member of the class certified by the Court and are not represented by the lawyers representing the class. You are not part of the lawsuit and will get no benefits from it. However, you retain any rights or claims you may have individually, as long as the time limit for asserting such claims has not expired.

If you have any questions about your rights, please consult a lawyer.

**PLEASE DO NOT CONTACT THE COURT  
OR THE COURT CLERK REGARDING THIS MATTER**